THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

W.P.No.16867 of 2002

Date: 18.09.2007

Between:

Vasipali Govinda Reddy,
Guntur. … Petitioner

And

1. Superintendent of Police,
   Guntur.
   and others. … Respondents

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O R D E R;

This petition is filed for quashing of Crime No.180 of 2002 of Arandalpet Police Station, Guntur District, registered under sections 468, 420, 354, 323, 506 r/w 34 IPC.

2. Petitioner, who obtained an agreement of sale from Venkayamma, filed a suit for specific performance of that agreement against the legal heirs of Venkayamma and obtained a decree. Questioning the said decree, the legal heirs of Venkayamma preferred A.S.No.969 of 2001 to this court. 4th respondent, claiming to be a purchaser from the legal heirs of Venkayamma, gave a report to the police against the petitioner alleging that the agreement relied on by the petitioner is a forged document and that the petitioner who came to her house, outraged her modesty and assaulted her. That complaint was registered by the third respondent as Crime No.180 of 2002 under Sections 468, 420, 354, 323, 506 read with 34 IPC.

3. Questioning the registration of the said crime, petitioner filed this petition on various grounds interalia alleging that the first respondent

Superintendent of Police, Guntur is interfering in civil disputes and holding darbars for settlement of disputes in the camp office and at his residence. While admitting the writ petition, a learned Judge of this court had on 30.9.2002, directed the appearance of respondents 1 to 3 before the court. Consequently respondents 1 to 3 appeared before the court and filed their counter-affidavits. Thereafter third respondent filed a memo deleting Sections 468 and 420 IPC from the FIR so as of now the FIR is registered only under Sections 354, 323, 506 and with Sec.34 IPC.

4. At the time of hearing of this case, it is stated by the counsel for petitioner and 4th respondent that inasmuch as the petitioner and the 4th respondent entered into a compromise and as A.S.No.969 of 2001 was disposed of in accordance with the terms of the compromise 4th respondent is not interested in prosecuting the case further. For that reason and since offences under Sections 354, 323 & 506 IPC are compoundable offences, the writ petition is allowed and the FIR No.180 of 2002 on the file of the Arandalpet Police Station, Guntur is quashed. No costs.

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C.Y.SOMAYAJULU,J

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